

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TREMAYNE SPILLMAN,

Plaintiff

v.

DR. KOLLMAN, *et al.*,

Defendants

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CIVIL NO. 3:18-CV-1568

(Judge Caputo)

O R D E R

AND NOW, this **7th** day of **OCTOBER 2019**, upon consideration of Dr. Kollman's motion to dismiss, Mr. Spillman's opposition brief, and Dr. Kollman's reply, it is hereby **ORDERED** that:

1. Dr. Kollman's motion to dismiss (ECF No. [19](#)) is **GRANTED**.
2. Mr. Spillman's Eighth Amendment claims against Dr. Kollman are **DISMISSED** with prejudice.
3. Mr. Spillman's motion for summary judgment (ECF No. [39](#)) is deemed **WITHDRAWN** due to his failure to file a supporting brief. See [Pa. M.D. Local Rule 7.5](#).
4. Mr. Spillman's motion to stay (ECF No. [44](#)) is **DENIED** as moot.
5. This matter shall proceed on Mr. Spillman's Eighth Amendment claims against the Commonwealth Defendants.
6. The pre-trial schedule in this case shall be as follows:
 - a. Discovery shall be completed by **Friday, April 3, 2020**.
 - b. Dispositive motions and supporting briefs shall be filed by **Monday, May 4, 2020**.
 - c. Further scheduling in this matter is deferred pending disposition of any dispositive motions.

7. Any motions or briefs filed after the expiration of the applicable deadline without prior leave of court shall be stricken from the record.
8. No extensions of the pre-trial schedule shall be granted absent good cause. See [Fed. R. Civ. P. 16\(6\)\(4\)](#).

/s/ A. Richard Caputo
A. RICHARD CAPUTO
United States District Judge